FILED
IN OPEN COURT
JUL 22 2016
CLERK, U.S. DISTRICT COURT
NORFOLK, VA

IN THE UNITED STATES DISTRICT COURT FOR THE

EASTERN DISTRICT OF VIRGINIA

Norfolk Division

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL NO. 2:16CR98
	)	
GABRIEL C. GROUX,	)	
	)	
Defendant.	)	

STATEMENT OF FACTS

The United States and the defendant, GABRIEL C. GROUX ("GROUX"), agree that at trial, the United States would have proven the following facts beyond a reasonable doubt with admissible and credible evidence:

1. On or about December 22-23, 2014, the defendant, GROUX, was a civilian living on Naval Fleet Activities Yokosuka, Japan, on land reserved and acquired for the use of the United States, and under the concurrent jurisdiction thereof. He was living in Japan together with his father, who was at the time and still is an active duty member of the United States Navy. He had turned eighteen years old several months prior, on July 29, 2014.

2. At approximately 1:00 in the morning on the night of December 22-23, 2014, the defendant, GROUX, entered a home located on Naval Fleet Activities Yokosuka that was assigned to R.W., another member of the United States Navy, and his family. The defendant chose the home because he observed the presence of a pair of sandals appearing to belong to a young girl outside the home.

3. Once the defendant, GROUX, entered R.W.'s family's home, he removed approximately $975 U.S. dollars and 2000 Japanese yen from a wallet on the kitchen table.

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4. The defendant proceeded to enter the bedroom of R.W.'s ten-year-old daughter, stand over her bed, and watch her sleep for approximately five minutes. He had the urge to touch her as she slept.

5. The defendant left R.W.'s daughter's bedroom. He proceeded to exit the home. On his way out, he observed two iPhone 4s telephones in the house. He took both telephones. At the time, each telephone had a market value of approximately $199 U.S. dollars. Several hours later, the defendant destroyed both telephones and disposed of their parts in several different garbage dumpsters on Naval Fleet Activities Yokosuka.

6. On the morning of December 23, 2014, R.W. discovered that the money and telephones in question had been removed from his home. He reported the incident to agents with the Naval Criminal Investigative Service (NCIS) on Naval Fleet Activities Yokosuka.

7. On December 29, 2014, the defendant provided a statement to NCIS agents in which he advised that he had entered a home on base earlier that week, had removed money and two iPhone 4s telephones from the home, and had entered the bedroom of a minor girl to watch her sleep. In his statement, the defendant also informed NCIS agents that he routinely sought out and viewed child pornography on the internet. He admitted to having sexual urges with regard to girls who are approximately thirteen years old.

8. After receiving the defendant's statement, NCIS agents seized various electronic media from GROUX's family's home on Naval Fleet Activities Yokosuka. Forensic examination revealed several images of child pornography on devices to which the defendant had access, to wit: an HP laptop computer model 2000-2D70NR and serial number 5CG3256TN0, an Apple iMac computer model A1224 and serial number W8744FCRX85, and a Seagate Barracuda hard drive

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model ST1000DM003 and serial number Z1D2A8YA. No videos of child pornography were discovered on these devices.

9. After the initiation of the NCIS investigation, the defendant relocated to the Eastern District of Virginia. He resided in the Eastern District of Virginia on July 8, when the government filed a Criminal Information in the subject case, charging the defendant with one count of Theft Within the Special Maritime and Territorial Jurisdiction of the United States, in violation of 18 U.S.C. § 661.

Respectfully submitted,

Dana J. Boente
United States Attorney

By: Alyssa K. Nichol
Alyssa K. Nichol
Special Assistant United States Attorney

After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, GABRIEL C. GROUX, and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

GABRIEL C. GROUX

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I am Shawn Cline, the defendant's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

Attorney for GABRIEL C. GROUX